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OCT 30 2006

OFFICE OF PETITIONS

In re Application of
DAHLIN, et al.
Application No. 10/725,357
Filed: December 1, 2003
Attorney Docket No. 1039-0090

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**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed May 19, 2006.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).


A review of the file record indicates that Customer no. 60533 (Toler Schaffer, LLP): (1) does **not** have power of attorney in this patent application; and (2) has been employed or otherwise engaged in the proceedings in this patent application.

The request cannot be approved because no reasons for withdrawal have been provided. The Office cannot, at this time, determine whether practitioner's request is one of the mandatory or permissive reasons enumerated in 37 CFR 10.40. Any subsequent requests must include reasons for withdrawal. Please note that there is a space provided for on PTO/SB/83 (Request to Withdraw as Attorney or Agent) to supply practitioner's reasons.

Furthermore, Customer no. 60533 cannot be withdrawn from record because the power of attorney in this application was never appointed by customer number. The individuals given power of attorney on the OATH filed April 30, 2004 remain of record.

All future communications from the Office will continue to be directed to the below-listed address from the Correspondence Address change dated June 13, 2006 until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Amelia Au at 571-272- 7414.


Amelia Au
Petitions Examiner
Office of Petitions

cc:

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